

FRUITS AND VEGETABLES**CANNED FRUIT**

25969. Canned peaches. (F.D.C. No. 43909. S. No. 56-834 P.)

QUANTITY: 949 cases, 24 1-lb. 13-oz. cans each, at Hialeah, Fla.

SHIPPED: 8-4-59, from Easley, S.C., by Jones Canning Co.

LABEL IN PART: (Can) "Hill Top Yellow Freestone Peaches Halves in Heavy Syrup * * * Packed * * * By Jones Canning Company, Easley, S.C."

LIBELED: 11-13-59, S. Dist. Fla.

CHARGE: 403(h) (1)—when shipped, the article purported to be and was represented as canned peaches, a food for which a standard of quality has been prescribed by regulations, and its quality fell below such standard since all peach units of the article tested in accordance with the method prescribed in such standard were not pierced by a weight of not more than 300 grams; the weight of the largest unit in some containers was more than twice the weight of the smallest unit therein; and all units were not untrimmed or so trimmed as to preserve normal shape; and its label failed to bear a statement that it fell below such standard.

DISPOSITION: 12-8-59. Default—delivered to charitable institutions.

FROZEN FRUIT

25970. Frozen blueberries. (F.D.C. No. 43450. S. No. 65-758 P.)

QUANTITY: 902 20-lb. cans at Buffalo, N.Y.

SHIPPED: 9-1-59, from Somerville, Mass., by Nova Scotia Blueberry Exchange Co.

LIBELED: 9-18-59, W. Dist. N.Y.

CHARGE: 402(a) (3)—when shipped, the article contained sour and decomposed blueberries and had a bitter taste; 403(e)—the article failed to bear a label containing (1) the name and place of business of the manufacturer, packer, or distributor, and (2) an accurate statement of the quantity of contents; and 403(i) (1)—the label failed to bear the common or usual name of the food.

DISPOSITION: 10-19-59. Default—destruction.

25971. Frozen blueberries. (F.D.C. No. 43579. S. Nos. 64-219/20 P.)

QUANTITY: 35 ctns., 24 1-qt. boxes each, at Providence, R.I.

SHIPPED: 7-31-59 and 8-5-59, from Boston, Mass., by York & Whitney Co.

LABEL IN PART: (Ctn.) "UCF United Co-Operative Farmers, Inc. Fitchburgh, Mass. York & Whitney Co. Boston, Mass."

LIBELED: 10-6-59, Dist. R.I.

CHARGE: 402(a) (3)—contained maggots when shipped.

DISPOSITION: 11-13-59. Default—destruction.

25972. Frozen strawberries. (F.D.C. No. 42081. S. No. 29-069 P.)

QUANTITY: 296 cases, 24 10-oz. pkgs. each, at Houston, Tex.

SHIPPED: 7-9-58, by Ark-Homa Farms Frozen Foods, Inc., from Fort Smith, Ark.

LABEL IN PART: (Pkg.) "Hills 'O Home Brand."

LIBELED: 8-12-58, S. Dist. Tex.

CHARGE: 402(a)(3)—when shipped, contained decomposed strawberries.

DISPOSITION: 7-23-59. Consent—destruction.

25973. Frozen strawberries. (F.D.C. No. 43410. S. No. 56-016 P.)

QUANTITY: 696 cases, 24 cans each, at Wichita, Kans.

SHIPPED: 6-23-59, from Prairie Grove, Ark., by Kelley Canning Co.

LABEL IN PART: (Can) "Grove Brand Fresh Frozen Strawberries Sliced
* * * Net Weight 10 oz. Packed by Kelley Canning Company, Prairie Grove,
Arkansas 519H9."

LIBELED: 7-30-59, Dist. Kans.

CHARGE: 402(a)(3)—when shipped, the article contained moldy berries; and
403(e)(2)—the article failed to bear a label containing an accurate statement
of the quantity of contents (the article was short weight).

DISPOSITION: 11-12-59. Default—destruction.

VEGETABLES

25974. Dried peas. (F.D.C. No. 43219. S. Nos. 47-014/5 P.)

INFORMATION FILED: 9-9-59, E. Dist. Wash., against Spokane Seed Co., a
corporation, Spokane, Wash., Patrick C. Johnstone, president, James K.
Pence, secretary-treasurer, and Homer B. Fritsch, assistant secretary and
production manager. Amended information, 10-12-59.

SHIPPED: 10-9-58 and 10-10-58, from Washington to Illinois.

LABEL IN PART: (Bag) "Easy Cooking Scotch [or "Green"] Spokane Green-
pod Brand Seed Co. Green [or "Whole"] Peas Spokane Seed Co. Spokane,
Wash. 100 Lbs. Net Weight."

CHARGE: 402(a)(4)—prepared, packed, and held under insanitary conditions.

PLEA: Guilty.

DISPOSITION: 10-12-59. Fine of \$250 on the October 9 shipment against the
defendants jointly, and suspended fine of \$250 on the October 10 shipment
against the defendants jointly.

25975. Dried soybeans and rice. (F.D.C. No. 42722. S. Nos. 45-507/8 P.)

QUANTITY: 130 100-lb. bags of dried soybeans and 600 100-lb. bags of rice
at Salt Lake City, Utah, in possession of Lindsey Warehouse Co.

SHIPPED: (Soybeans) 3-3-58, from Blytheville, Ark., and (rice) between 1-2-58
and 1-7-58, from Sacramento, Calif.

LIBELED: 3-11-59, Dist. Utah.

CHARGE: 402(a)(3)—contained (soybeans) insect larvae and insect parts, and
(rice) rodent urine, insects, and insect parts; and 402(a)(4)—held under
insanitary conditions.

DISPOSITION: 7-20-59. Consent—claimed by Rae S. Fujimoto, t/a Fujimoto Co.,
Salt Lake City, Utah, and denatured for use as animal feed.

TOMATO PRODUCTS

25976. Tomato catsup. (F.D.C. No. 43460. S. No. 66-209 P.)

QUANTITY: 115 cases at Pittsburgh, Pa.

SHIPPED: 6-2-59, from Wilson, N.Y., by Wilson Canning Co.